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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,635	08/29/2001	Nader Asghari-Kamrani		5599

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NADER ASGHARI-KAMRANI  
6558 PALISADES DRIVE  
CENTERVILLE, VA 20121

EXAMINER
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NOBAHAR, ABDULHAKIM

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/940,635

Applicant(s)

ASGHARI-KAMRANI ET AL.

Examiner

Abdulahakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



Kambiz Zand

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Arguments***

1. This communication is in response to applicants' response received on November 28, 2005.
2. Claim 1 is amended.
3. Applicant's arguments with respect to the rejections of claims 1-5 under 35 USC § 102 have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Teper et al [5,815,665; hereinafter Teper].**

1. Regarding claim 1, Teper discloses a method for identifying an individual over a communication network (see, for example, abstract; col. 3, lines 5-9) comprising:

a User that needs to be identified in e-commerce (see, for example, Fig. 1; col. 2, lines 30-45; col. 3, lines 5-9);

a Central-Entity that provides digital identity to the Users to positively identify themselves in e-commerce (see, for example, abstract; Fig. 1; col. 2, lines 30-45; col. 2, line 57-col. 3, line 5, where the Online Brokering Service corresponds to the recited central-entity that assigns to the user an unique ID);

an external-entity offering goods or services and needs to authenticate the users in e-commerce (see, for example, abstract; Fig. 1; col. 2, lines 30-45, where the Service Provider corresponds to the recited external-entity);

a communication network for the User, the central-entity and the external-entity to send and receive information between each other (see, for example, col. 2, lines 30-45; Fig. 1).

whereby the External-Entity may forward digital identity received from a User to the Central-Entity for authentication (see, for example, Fig. 2, box 88; col. 3, lines 19-30).

wherein the User does not require a personal identity card to employ digital identity (see, for example, Fig. 2, col. 3, lines 5-30 and col. 4, lines 28-36, where no identity card is employed).

2. Regarding claim 2, Teper discloses a digital identity includes SecureCode and other information such as UserName (see, for example, col. 2, lines 43-49; col. 2, line 57-col. 3, line 5).

3. Regarding claim 4, Teper discloses a communication network includes Internet, wireless and private networks (see, for example, Fig. 1).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teper et al [5,815,665; hereinafter Teper] in view of Aziz [5,732,137].**

1. Regarding claim 3, Teper does not expressly disclose that the SecureCode is a dynamic, non-predictable and time dependent alphanumeric code, secret code, PIN or other code.

However, Aziz teaches a method and apparatus for user authentication in a network environment between a client computer and a remote server (see, for example, col. 2, lines 25-32; Fig. 4). Aziz further teaches that the remote server generates a one-time and a time dependent password (corresponding to the recited a dynamic, non-predictable and time dependent alphanumeric code, secret code or PIN) for the user, each time the user request

a service and the server removes the password from its storing location after each use or after passage of a time-period (see, for example, col. 2, line 37-col. 3, line 5; Fig. 4).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a scheme for generating a dynamic time dependent password or a secret code as taught in Aziz in the method and system of Teper, because the use of a password which is good only for a one time use enhances the security of the system (Aziz, col. 2, lines 15-23).

2. Regarding claim 5, this claim is rejected as applied to the like elements of claims 1-4 as stated above and further the following:

Teper discloses a system and a method for identifying an individual (see, for example, abstract; col. 3, lines 5-9) comprising the steps:

The user registers at the Central-Entity (see, for example, col. 2, lines 57-63);

The user provides his personal and/or financial information to the Central-Entity (see, for example, col. 2, lines 63-67);

The user receives his unique UserName and Password from the Central-Entity (see, for example, col. 3, lines 1-5);

The user attempts to get access to a restricted web site or to buy goods and/or services from an External-Entity (see, for example, abstract; Fig. 2; col. 9, lines 25-37);

The External-Entity requests the user to authenticate himself using his digital identity (see, for example, col. 3, lines 5-14; Fig. 2; col. 9, lines 25-37);

The user submits his SecureCode as part of the digital identity in response to External-Entity's request (see, for example, col. 3, lines 5-14; Fig. 2; col. 9, lines 25-37);

The External-Entity forwards the user's digital identity along with the identification and authentication request to the Central-Entity over a communication network (see, for example, Fig. 1; Fig. 2, box 88; col. 3, lines 19-30);

The Central-Entity retrieves the user's digital identity including the SecureCode from the system (see, for example, col. 3, lines 19-30);

The Central-Entity compares the retrieved users digital identity with the digital identity received from the External-Entity (see, for example, col. 10, lines 44-65);

The Central-Entity sends approval identification and authorization message to the External-Entity when the digital identity forwarded to the Central-Entity, matches the users digital identity retrieved from the system (see, for example, col. 10, lines 58-65);

The Central-Entity sends a denial identification and authorization message to the External-Entity when the digital identity forwarded to the Central-Entity does not match the users digital identity retrieved from the system (see, for example, col. 10, lines 58-65; col. 11, lines 10-13).

However, Teper does not expressly disclose that a dynamic, non-predictable and time dependent alphanumeric code, secret code, PIN or other code is generated by the Central-Entity upon the User request.

Aziz teaches a method and apparatus for user authentication in a network environment between a client computer and a remote server (see, for example, col. 2, lines 25-32; Fig. 4). Aziz further teaches that the remote server generates a one-time and a time

Art Unit: 2132

dependent password (corresponding to the recited a dynamic, non-predictable and time dependent alphanumeric code, secret code or PIN) for the user, each time the user request a service and the server removes the password from its storing location after each use or after passage of a time-period (see, for example, col. 2, line 37-col. 3, line 5; Fig. 4).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a scheme for generating a dynamic time dependent password or a secret code as taught in Aziz in the method and system of Teper, because the use of a password which is good only for a one time use enhances the security of the system (Aziz, col. 2, lines 15-23).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar  
Examiner  
Art Unit 2132

*A.N.*

February 13, 2006

~~*Kambiz Zand*~~

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*Primary AU 2132*